

IN THE CLAIMS

Please amend the claims as follows where new material is indicated with an underline and deleted material is indicated by ~~striketrough~~ or ~~[[brackets]]~~:

1. (Currently Amended) A method for transmitting requested content items in a broadband transmission system, said method comprising:
receiving requests for a plurality of content items on an upstream path of said broadband transmission system;
creating a list of said content items;
creating a request count for each content item of said plurality of content items;
sorting said requests using said request count; ~~and~~
determining a retransmit rate for said transmitting content items, said content items with a higher request count receiving a higher retransmission frequency more frequently than content items with a lower request count via a broadband transceiver; and repeatedly broadcasting the transmitted content items at said retransmit rate via a downstream requesting transceiver.
2. (Currently Amended) The method as set forth in ~~[[of]]~~ claim 1 wherein said request count is the number of requests received during a predefined time period for each content item of said plurality of content items.
3. (Currently Amended) The method as set forth in ~~[[of]]~~ claim 1 further comprising:
removing said content item from said list of content items if said request count is equal to or less than a first predetermined content access count.

4. (Currently Amended) The method as set forth in [[of]] claim 1, said method ~~wherein said step of transmitting further comprises~~ comprising:

grouping content items with a request count greater than or equal to a second predetermined access count into a transmit group; determining a retransmit rate for said transmit group; and repeatedly broadcasting the transmit group at said retransmit rate.

5. (Currently Amended) A method for optimizing transmit bandwidth utilization in a broadband transmission system employing a content item list, said method comprising:

receiving requests on an upstream path of said broadband transmission system for transmission of a plurality of content items;
adding one content item of said plurality of content items to said content item list if said one content item is not in said content item list;
determining a rate of request for each content item contained in said content item list;
deleting content items from said content list for which the number of requests during a predefined time are less than or equal to a predefined rate of request; ~~and~~ determining a retransmit rate for said transmitting content items in said content item list wherein said retransmit rate is based on said rate of request; and repeatedly broadcasting the transmitted content items at said retransmit rate to a downstream requesting transceiver display.

6. (Currently Amended) The method as set forth in [[of]] claim 5 wherein said ~~step of transmitting further comprises: transmitting~~ content items with a higher rate of request more frequently than content items with a lower rate of request.

7. (Currently Amended) The method as set forth in [[of]] claim 6 wherein said ~~step of transmitting further comprises~~ [[:]] grouping of a plurality of said content items into a transmit package wherein said transmit package is of a predetermined maximum size.

8. (Currently Amended) The method as set forth in [[of]] claim 6 wherein said ~~repeatedly broadcasting step of transmitting~~ further comprises [[:]] merging said content items with other transmitted data.

9. (Currently Amended) A system for optimizing bandwidth utilization in a broadband transmission system, said system comprising:

- a first database containing a plurality of content items;
- a second database containing user request information for said content items;
- a transmit unit;
- a server computer; and
- a software program that
 - processes said request information received across said broadband transmission system, and
 - determines a rate of request for each content item of said plurality of content items in said first database,
 - ~~determines a retransmit rate~~ establishes a frequency of transmission for each content item of said plurality of content items in said first database, said retransmit rate responsive to said rate of request for each content item of said plurality of content items in said first database, and
 - ~~repeatedly broadcasts~~ broadcasts the transmitted content items via the transmit unit to a downstream requesting transceiver display.

10. (Currently Amended) The system as set forth in [[of]] claim 9 wherein said transmit unit comprises [[is]] a television transmitter.

11. (Currently Amended) The system as set forth in [[of]] claim 9 wherein said transmit unit comprises [[is]] a server computer connected to a network.

12. (Currently Amended) The system as set forth in ~~[[of]]~~ claim 9 further comprising:
a third database containing only those of said content items corresponding to said user request information for said content items.

13. (Currently Amended) The software program as set forth in ~~[[of]]~~ claim 9 wherein said retransmit rate ~~frequency of transmission~~ is further responsive to available bandwidth for content item broadcast.

14. (Currently Amended) The software program as set forth in ~~[[of]]~~ claim 9 wherein said retransmit rate ~~frequency of transmission~~ is further responsive to a duration of each content item of said plurality of content items in said first database.

15. (Cancel)